

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED

MAR 20 2018

Clerk, U.S. District Court
Texas Eastern

DAVID E. MACK
Plaintiff.

vs

EXPERIAN INFORMATION
SOLUTIONS, INC.; TRANS UNION
LLC; EQUIFAX, INC.
Defendants

Case No. 4:18-cv-0006-ALM-CAN

PLAINTIFF'S MOTION AND MEMORANDUM IN SUPPORT
FOR LEAVE TO FILE AMENDED COMPLAINT

Plaintiff requests leave of the Court to file an Amended Complaint to add an additional party and clarify claims made.

A. Introduction

1. Plaintiff is David E. Mack; Defendants are Experian Information Solutions, Inc. (Experian), Equifax, Inc. (Equifax) and Trans Union LLC (Trans Union).
2. Plaintiff sued Defendants for violations of the FCRA.
3. Defendants Experian and Equifax have filed an Answer while Trans Union filed a Motion to Dismiss which is pending before the Court.

B. Argument

4. Unless the opposing party can show prejudice, bad faith, or undue delay, a court should grant leave to file an amended pleading. *Foman v. Davis*, 371 U.S. 178, 182, 83 S.Ct. 227,

230 (1962). Leave to amend should be freely given when justice so requires. Fed. R. Civ. P. 15(a); *Walton v. Mental Health Ass'n*, 168 F.3d 661, 665, (3d Cir. 1999).

5. The court should allow the filing of Plaintiff's amended pleading because it properly corrects deficiencies in Plaintiff's Original Complaint and allows a necessary party to be added to this action.
6. Defendants will not be prejudiced by Plaintiff's amended pleading.
7. Plaintiff is attaching his amended pleading to this Motion.

C. Conclusion

8. The Plaintiff has amended his Original Complaint to clarify issues presented and to add a necessary additional party to this action. Plaintiff requests the Court grant leave to file the Amended Complaint.

Respectfully Submitted,



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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document was sent to the parties listed below by via email on the date below.

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Dated March 20, 2018



David E. Mack